

cc: Financial, J. Caldwell,  
M. J. Blinett OFFICE OF T

OFFICE OF THE CLERK

MARCIA M. WALDRON

**CLERK**

**UNITED STATES COURT OF APPEALS**

FOR THE THIRD CIRCUIT  
21400 UNITED STATES COURTHOUSE  
601 MARKET STREET  
PHILADELPHIA 19106-1790

TELEPHONE  
215-597-2995

Harrisburg Clerk of District Court  
District)

Date 11/25/02

Benson v. Duran  
(Caption)

C. of A. No. 02-3867

Jason Eric Benson  
(Appellants)

00-cv-1229  
(D.C. No.)

*Enclosures:*

11/25/02 Certified copy of C. of A. Order by the Court/Clerk  
(Date)

Released (Record) (Supplemental Record - First - Second - Third)

XXXXXX Copy of this form to acknowledge receipt and return to C. of A.

Record not released at this time until appeal(s) closed at No. (s)

PLoS ONE | <https://doi.org/10.1371/journal.pone.0270005> February 23, 2022

The certified copy of order issued as the mandate on  
is recalled.

Dana M. Moore

Dana M. Moore  
Deputy Clerk

(267)-299-4927  
Telephone Number

*Receipt Acknowledge:*

(Name)

(Date)

Rev. 3/13/00

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EPS-044

November 22, 2002  
UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 02-3867

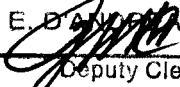
Benson v. Duran  
(M.D. Pa. No. 00-cv-01229)

FILED  
HARRISBURG, PA

NOV 29 2002

To: Clerk

1) Motion for Leave to Proceed In Forma Pauperis

MARY E. DALTON, CLERK  
Per   
Deputy Clerk

The foregoing Motion to proceed in forma pauperis is granted. Appellant is a prisoner and seeks to proceed in forma pauperis on appeal. Appellant is required to pay the full \$105.00 fee in installments regardless of the outcome of the appeal. Appellant has completed and filed the required authorization form permitting the appropriate prison officials to assess, collect and forward to the District Court the filing and docketing fees for this appeal pursuant to 28 U.S.C. §§ 1915(b)(1) and (2). The Court hereby directs the warden or his or her designee to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to the prisoner's account; or (b) the average monthly balance in the prisoner's account for the six month period immediately preceding the filing of the notice of appeal. The warden, or his or her designee, shall calculate, collect, and forward the initial payment assessed in this order to the United States District Court for the Middle District of Pennsylvania. In each succeeding month when the amount in the prisoner's account exceeds \$10.00, the warden, or his or her designee, shall forward payments to the United States District Court for the Middle District of Pennsylvania equaling 20% of the preceding month's income credited to the prisoner's account until the fees are paid. Each payment shall reference the appellate docket number for this appeal.

This appeal will be submitted to a panel of the Court for determination under 28 U.S.C. § 1915(e)(2). The Court also will consider any other appropriate action, such as summary affirmance of the order of the District Court. See Third Circuit Internal Operating Procedures Chapter 10.6.

A True Copy:

Marcia M. Waldron  
Marcia M. Waldron,  
Clerk

For the Court,

Marcia M. Waldron  
Clerk

Dated: November 25, 2002  
DMM/cc: Mr. Jason Eric Benson  
Kevin C. McNamara, Esq.

John J. Hare, Esq.  
Alan S. Gold, Esq.  
James D. Young, Esq.